

COLLEGE STUDENT AID COMMISSION[283]

Adopted and Filed

Pursuant to the authority of Iowa Code section 261.3, the Iowa College Student Aid Commission hereby adopts amendments to Chapter 2, "Commission Procedures for Rule Making," and Chapter 3, "Declaratory Orders," Iowa Administrative Code.

The rules in Chapter 2 describe the Commission's rule-making procedures. These amendments update the Commission's address as identified by a regular review of the administrative rules and provide additional information about how interested parties may obtain copies of notices of changes to administrative rules.

The rules in Chapter 3 describe how individuals may file petitions for a declaratory order with the Commission. These amendments update the Commission's address.

Notice of Intended Action was published in the Iowa Administrative Bulletin on February 19, 2014, as **ARC 1346C**. The adopted amendments are identical to those published under Notice.

The Commission does not intend to grant waivers under the provisions of these rules.

These amendments were adopted during the May 16, 2014, meeting of the Iowa College Student Aid Commission.

After analysis and review of this rule making, the Commission finds that there is no impact on jobs.

These amendments are intended to implement Iowa Code chapter 261.

These amendments will become effective on July 30, 2014.

The following amendments are adopted.

ITEM 1. Amend subrule 2.4(3) as follows:

**2.4(3) Copies of notices.** Persons desiring to receive copies of all future Notices of Intended Action must file with the commission a written request indicating the name and address to which such notices should be sent. Within seven days after submission of a Notice of Intended Action to the administrative rules coordinator for publication in the Iowa Administrative Bulletin, the commission shall mail or electronically transmit a copy of that notice to those persons who have filed a written request for either mailing or electronic transmittal with the commission for Notices of Intended Action. The written request shall be accompanied by payment of the subscription price which may cover the full cost of the subscription service, including its administrative overhead and the cost of copying and mailing the Notices of Intended Action for a period of one year. Interested persons may also subscribe to the service provided at <https://www.legis.iowa.gov/Subscribe/agencyChanges.aspx> to receive rule-making information regarding the commission.

ITEM 2. Amend subrules 2.5(1) and 2.5(5) as follows:

**2.5(1) Written comments.** For at least 20 days after publication of Notice of Intended Action, arguments, data, and views may be submitted in writing on the proposed rule. Such written submissions should identify the proposed rule to which they relate and should be submitted to Executive Director, College Student Aid Commission, ~~200 Tenth Street, Fourth~~ 430 East Grand Avenue, Third Floor, Des Moines, Iowa 50309-~~3609~~ 1920, or to the person designated in the Notice of Intended Action.

**2.5(5) Accessibility.** The commission shall schedule oral proceedings in rooms accessible to, and functional for, persons with physical disabilities. Persons who have special requirements should contact the administrative secretary at College Student Aid Commission, ~~200 Tenth Street, Fourth~~ 430 East Grand Avenue, Third Floor, Des Moines, Iowa 50309-~~3609~~ 1920, or (515)242-3341 in advance to arrange access or other needed services.

ITEM 3. Amend subrule 2.6(2), introductory paragraph, as follows:

**2.6(2) Mailing list.** Small businesses or organizations of small businesses may be registered on the commission's small business impact list by making a written application addressed to College Student Aid Commission, ~~200 Tenth Street, Fourth~~ 430 East Grand Avenue, Third Floor, Des Moines, Iowa 50309-~~3609~~ 1920. The application for registration shall state:

ITEM 4. Amend subrule 2.11(1) as follows:

**2.11(1) General.** When requested by a person, either prior to the adoption of a rule or within 30 days after its publication in the Iowa Administrative Bulletin as an adopted rule, the commission shall issue a concise statement of reasons for the rule. Requests for such a statement must be in writing and be delivered to College Student Aid Commission, ~~200 Tenth Street, Fourth~~ 430 East Grand Avenue, Third Floor, Des Moines, Iowa 50309-~~3609~~ 1920. The request should indicate whether the statement is sought for all or only a specified part of the rule. Requests will be considered made on the date received.

ITEM 5. Amend rule 283—3.1(17A), introductory paragraph, as follows:

**283—3.1(17A) Petition for declaratory order.** Any person may file a petition with the college student aid commission for a declaratory order as to the applicability to specified circumstances of a statute, rule, or order within the primary jurisdiction of the commission, at ~~200 Tenth Street, Fourth~~ 430 East Grand Avenue, Third Floor, Des Moines, Iowa 50309-~~3609~~ 1920. A petition is deemed filed when it is received by the commission. The commission shall provide the petitioner with a file-stamped copy of the petition if the petitioner provides an extra copy for this purpose. The petition must be typewritten or legibly handwritten in ink and must substantially conform to the following form:

ITEM 6. Amend subrule 3.3(3), introductory paragraph, as follows:

**3.3(3)** A petition for intervention shall be filed at ~~200 Tenth Street, Fourth~~ 430 East Grand Avenue, Third Floor, Des Moines, Iowa 50309-~~3609~~ 1920. Such a petition is deemed filed when it is received by the commission. The commission will provide the petitioner with a file-stamped copy of the petition for intervention if the petitioner provides an extra copy for this purpose. A petition for intervention must be typewritten or legibly handwritten in ink and must substantially conform to the following form:

ITEM 7. Amend rule 283—3.5(17A) as follows:

**283—3.5(17A) Inquiries.** Inquiries concerning the status of a declaratory order proceeding may be made to Executive Director, College Student Aid Commission, ~~200 Tenth Street, Fourth~~ 430 East Grand Avenue, Third Floor, Des Moines, Iowa 50309-~~3609~~ 1920.

ITEM 8. Amend subrule 3.6(2) as follows:

**3.6(2) Filing—when required.** All petitions for declaratory orders, petitions for intervention, briefs, or other papers in a proceeding for a declaratory order shall be filed with the College Student Aid Commission, ~~200 Tenth Street, Fourth~~ 430 East Grand Avenue, Third Floor, Des Moines, Iowa 50309-~~3609~~ 1920. All petitions, briefs, or other papers that are required to be served upon a party shall be filed simultaneously with the commission.

[Filed 5/19/14, effective 7/30/14]

[Published 6/11/14]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 6/11/14.